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Letter dated 29 August 2000 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith the position of the Government of the Democratic Republic of the Congo on the Lusaka Ceasefire Agreement (S/1999/815, annex).

My Government, which calls for full respect for the Agreement on the part of all signatories, draws the attention of the Security Council to section V of the document annexed hereto, which reaffirms the active support of the Democratic Republic of the Congo for the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC).

I request you to have this letter and its annex circulated as a document of the Security Council.

(*Signed*) André **Mwamba Kapanga**
Ambassador
Permanent Representative

00-62465 (E) 290800 290800

Annex to the letter dated 29 August 2000 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

Position of the Government of National Security following the Summit of Heads of State of the Southern African Development Community and Heads of State and Leaders of Movements signatory to the Lusaka Agreement, held at Lusaka on 14 and 15 August 2000

I. At the Lusaka Summit, which brought together the heads of State of the Southern African Development Community and the heads of State and leaders of the movements signatory to the Lusaka Agreement of 10 July 1999, the Government of National Security demonstrated that:

- It has respected the Lusaka Agreement since 10 July 1999;
- It was in favour of a genuine inter-Congolese dialogue with a view to settling the political problem that gave rise to the conflict between certain armed factions and the Government;
- It was in favour of a form of deployment of MONUC forces conducive to the swift re-establishment of peace in the Democratic Republic of the Congo, subject to a number of precautions prompted by the memory of our past cooperation with the United Nations and recent difficulties experienced by certain fraternal countries that have had to resort to the good offices of the United Nations.

The Government also demonstrated that the other parties to the agreements have consistently violated them since 10 July 1999, in particular by:

- Postponing their signature by a month and thus disrupting the start of the timetable for the implementation of the agreements;
- By making major territorial conquests both in Equateur province and in the Kasaï provinces;
- By perpetrating a series of massacres of unarmed civilian population groups;
- By systematically plundering the natural wealth of the Democratic Republic of the Congo;
- By implementing far-reaching political and administrative change, of both an institutional and a territorial nature.

The Government of National Security concluded that these mass, systematic and repeated violations of the Lusaka agreements by the other parties were to blame for the failure and blocking of the agreements.

II. Despite our clear and objective arguments, and instead of seeking the deep-rooted reasons for the agreements being blocked, the Lusaka Summit made a point of repeating, like a litany, that the Lusaka agreements must be respected. There was even a tendency that became apparent at the Summit to lay the blame for the blocking of the agreements on the Democratic Republic of the Congo, by focusing excessively on such a small detail as who the facilitator

was to be, and by distorting the facts regarding the attitude of the Government of National Security towards MONUC.

The Summit, which was completely out of touch with reality, totally concealed the manifest violations of the Lusaka agreements, which have been denounced by the Democratic Republic of the Congo, and contented itself with proclaiming that the Lusaka agreements should be upheld.

III. The Government of National Security, refusing to allow itself to be trapped in this impasse, which is prejudicial to the swift re-establishment of peace desired by the entire population of the Democratic Republic of the Congo, realizes that the Lusaka agreements have long constituted a subterfuge for perpetuating the presence of the aggressors on our territory. The Government therefore calls for the revision of the agreements for the following reasons:

1. The Lusaka agreements, signed on 10 July 1999, were intended to settle the problem of an internal war in which certain States were involved as parties. Security Council resolution 1304 (2000) and Order No. 116 of the International Court of Justice have in the meantime established that it was indeed a matter of a war of aggression, naming Rwanda and Uganda as aggressors. Consequently, the mechanism established for settling an internal dispute has proved ill-suited, and an appropriate way of settling an international conflict between States is called for.

2. The Lusaka agreements were signed, on behalf of the insurgents, by 50 leaders. Subsequently, the insurgency disintegrated. There were military clashes between factions, and the principal leaders decided to abandon the insurgency. Most of the leaders in question now acknowledge that an insurgency in fact never existed and that they were manipulated by Uganda and Rwanda as a front for an operation of territorial conquest, political undermining and economic exploitation. They decided not to lend their support any longer to this masquerade that is casting a tragic shadow over our nation.

IV. The Government of National Security therefor concludes that the Lusaka agreements make sense now only if the new factors resulting from the Kisangani war and the consequent Security Council resolutions are integrated into them. The Government also believes that the clarification of the conflict in the Democratic Republic of the Congo provided by resolution 1304 (2000) means that the war of aggression — waged by Rwanda, Burundi and Uganda against the Democratic Republic of the Congo — must be separated out from the political conflict between the Government and a number of armed Congolese factions.

To solve this problem, the Government proposes direct talks, on the one hand, between the Democratic Republic of the Congo and the three aggressor countries, and on the other hand, between the Government and the Congolese insurgents. As in the case of the action taken to bring to an end a number of wars elsewhere in the world, such talks could take place under the auspices of an international body whose probity, objectivity and integrity would be such as to reassure all participants.

V. Pending the swift implementation of these proposals for peace and regional stability, the Government of National Security has decided to cut back the

legitimate precautionary measures taken thus far with respect to MONUC, as regards both the status and movements of MONUC troops. The following action has been taken in that connection:

1. MONUC aircraft may now land directly in Kinshasa, without transit through Brazzaville or another airport near Kinshasa being required;

2. With regard to MONUC troop movements, the requirement regarding prior authorization for all flights has been replaced by a requirement just for notification to be addressed to a senior official on the lead team of the general government commission responsible for MONUC affairs;

3. With regard to MONUC troop deployment, the Government wishes to point out that it has at no time prohibited the deployment of MONUC forces in the territories under its control. It has merely been of the view that the forces in question should be assigned to locations where they would be likely to have an opportunity to observe any cease-fire violations that might take place, that is to say, to conflict zones. The Government and MONUC have therefore agreed that a small unit of MONUC troops should be deployed in Kinshasa for the sole purpose of protecting MONUC headquarters. However, the troops in question may carry weapons only within MONUC facilities. The Government of National Security has also agreed to the deployment of the Senegalese contingent in Mbandaka, of the Pakistani contingent in Kananga and Kisangani and of the Moroccan contingent in Kindu.

4. The Government will inform the officer in charge of MONUC of the location of the building where the MONUC headquarters and logistical services are to be set up in the city of Kinshasa.

5. Security for MONUC aircraft will be provided by a special National Police detachment assigned to N'Djili airport for that purpose.

Kinshasa, 26 August 2000